

Demolition Delay Ordinance

Ordinance Overview & Frequently Asked Questions



City of Bloomington, Indiana

Planning Department and Housing &
Neighborhood Development Department



What is the Demolition Delay?

On January 17th, 2005, the Demolition Delay Ordinance was adopted by the Bloomington City Council. The Ordinance delays the issuing of a demolition permit in order to allow for public notice and discussion of proposed demolitions to documented historic structures. This provides an opportunity for the Historic Preservation Commission (HPC) and the City Council to consider implementing formal historic preservation actions before these structures are demolished.



Demolition Defined

There are two types of activities that constitute demolition. The first is a complete removal of a structure. The second is any actions that result in a partial demolition of any exterior portion of a building or structure. It is important to note that *interior* demolition is not covered by this Ordinance.



What's Considered Historic?

All structures that are listed as being 'Outstanding', 'Notable' or 'Contributing' in the *2001 Indiana Historic Sites and Structures Inventory Interim Report for the City of Bloomington* are subject to the City's demolition delay process. This list includes both residential and commercial properties.



How Do I Know if I'm Working on a Historic Property?

Before beginning any work on a demolition that may involve a historic property, please contact the staff at either the Planning or the Housing and Neighborhood Development Departments. They can assist you in determining whether or not your project will require the demolition delay process.

The *2001 Indiana Historic Sites and Structures Inventory Interim Report for the City of Bloomington* is also available online at: <http://bloomington.in.gov/hand/btoncmsn.php>.



How the Ordinance Works

Two actions trigger the Demolition Delay Ordinance:

1. An application for a demolition permit involving a listed historic structure.
2. A pre-application meeting with Planning staff that includes a proposal to potentially demolish a listed historic structure.

What Next?

If one of the Demolition Delay Ordinance triggers are met, the case is then automatically forwarded to the Historic Preservation Commission (HPC). At that time, all demolition permits will be held for up to 90 days. For cases requiring greater attention, the HPC may request an additional 30 day delay period, for a total of a 120 days.

The HPC, which meets on the second Thursday of each month, is then tasked with determining whether or not Local Historic Designation is warranted for the property in question. This designation provides greater protection to structures and requires that a Certificate of Appropriateness be obtained from the HPC before doing any exterior work.

For Demolition Delay cases, the HPC may:

1. Award "Interim Protection" to a structure, indicating that Local Historic designation is warranted. This forwards the decision on to the City Council, which has the final decision. The Planning Department will then issue, or not issue, a demolition permit accordingly.
2. Decide not to award "Interim Protection" status. This means that Local Historic designation is not warranted at this time and the case isn't forwarded to the City Council. This can happen any time within the 90 (or 120) day delay period. As soon as the HPC approves this option, a demolition permit may be authorized by the Planning Department.



Are there any Exemptions from the Demolition Delay Ordinance?

Yes, there are two major exemptions:

1. *A structure is already designated as being Locally Historic.*

In this case, any exterior work (including any proposed demolition) would require a Certificate of Appropriateness (COA) from the HPC. You will need to complete the COA process with the HPC before the Planning Department can issue any permits.

If you have questions on the COA process, or Local Historic designation, please contact the HAND Department.

2. *A Structure is listed as being 'Non Contributing' on the 2001 Indiana Historic Sites and Structures Inventory Interim Report, or is not listed in it at all.*

Non-Contributing structures are not covered by this Ordinance. Additionally, if a structure is not listed in the Interim Report at all, it is not subject to the Ordinance. In both of these cases, the Planning Department can issue demolition permits, without a delay period.

If you have questions about your particular property, or the permitting process in general, please call the Planning or HAND Departments *before* starting any work.

City of Bloomington Housing & Neighborhood Development Department

P.O. Box 100
401 N. Morton Steet
Bloomington, IN. 47404

Phone (812) 349-3420
Fax (812) 349-3535

e-mail: hand@bloomington.in.gov
www.bloomington.in.gov/hand

City of Bloomington Planning Department

P.O. Box 100
401 N. Morton Steet
Bloomington, IN. 47404

Phone (812) 349-3423
Fax (812) 349-3535

e-mail: planning@bloomington.in.gov
www.bloomington.in.gov/planning

